

Legislative Reference Service

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Thru Week Ending 3/24/05

(SENATE BILLS ONLY)

NO. 3

CODE ENFORCEMENT

S-374 **FIRE SAFETY CODE: BARNs** (Sosnowski & Others) This act would add barns to the fire safety code, and would exempt barns comprising a total area of less than 50,000 square feet from the provisions. Commerce, Housing & Municipal Government

S-487 **SCHOOLS: FIRE EXITS** (Polisena & Damiani) This act would require that all elementary school classrooms have at least 2 fire exits and that all upper floors at elementary schools have fire escapes. Commerce, Housing & Municipal Government

S-536 **LEAD HAZARD MITIGATION** (Goodwin) This act would appropriate \$2,000,000 for the implementation of the Lead Hazard Mitigation Act. Finance

S-602 **CARPENTRY INSPECTORS** (Tassoni & Others) This act would require that carpentry inspectors have a minimum of 5 years experience and a valid journeyman carpenter's license. Labor

S-819 **UNDERGROUND UTILITY CONTRACTORS** (Badeau) This act would establish a licensing procedure for underground utility contractors engaged in the installation, repair, alteration or replacement of sewer lines, storm drainage lines or water lines and related services. Labor

EDUCATION AND SCHOOLS

S-382 ATHLETIC COACHES (Caprio & Raptakis) This act would require that athletic coaches in high schools supported wholly or in part by public money be certified to coach by the National Federation of High Schools. Constitutional & Gaming Issues

S-384 ANIMAL CARE (Perry & Others) This act would amend the requirements relative to the disposition of animals by requiring the spaying and neutering of dogs and cats subject to adoption. Constitutional & Gaming Issues

S-389 ATHLETIC DIRECTORS (Caprio & Raptakis) This act would require that all school athletic administrators/directors hold the position full-time, and be certified by the National Federation of High Schools as athletic administrators. Constitutional & Gaming Issues

S-390 CHILD CARE PROVIDERS (Issa & Perry) This act would enable a child care program to become licensed if in a public school building being utilized as an elementary school. Education

S-391 CHARTER SCHOOLS (Sosnowski & Others) This act would require that Section 16-2-9 of the General Laws, (general powers and duties of school committees) be binding on charter public schools. Education

S-410 SPECIAL EDUCATION (Sheehan & Others) This act would establish the "special education statewide mean supplemental fund" to provide additional funds to school districts which receive special needs students during the school year. Finance

S-411 SPECIAL EDUCATION SERVICES (Sheehan & Others) This act would establish a fund to subsidize the costs incurred by cities and towns when a special education student enters the municipality's school system after the commencement of the school year. Finance

S-412 CHARTER PUBLIC SCHOOLS (Sosnowski & Others) This act would authorize cities and towns to appropriate money for charter public schools located therein. Finance

S-460 HEALTH AND PHYSICAL EDUCATION (Pichardo & Others) This act would expand the areas of instruction in health and physical education for children in grades Kindergarten through 12 who attend public schools to include instruction in human development and sexuality. Education

S-504 CHARTER PUBLIC SCHOOLS (Sosnowski & Others) This act would require that the Board of Regents hold a public hearing in those instances wherein the board grants a charter to establish a new charter public school over the objections of the local school committee. The hearing would be held in the district in which the proposed charter school would be located. Education

S-505 TEACHER EVALUATIONS (Gibbs) This act would direct the commissioner of elementary and secondary education to develop a statewide teacher evaluation program for all certifications. Education

S-517 STATEWIDE TRANSPORTATION OF STUDENTS (Blais) This act would provide that the Department of Elementary and Secondary Education plan, develop, create and implement a statewide system of transportation of students with special needs. Finance

S-519 SCHOOL BUDGETS (Paiva-Weed & Gibbs) This act would authorize school committees to seek arbitration in the event of a negative vote by an appropriating authority. The act would also delete certain language authorizing school committees to bring an action in Superior Court in the event of such a negative vote. Finance

S-530 SCHOOL DEPARTMENT AUDITS (Gallo) This act would provide that, in the event of an audit of a school department, the Auditor General shall select the auditor if the audit is not performed by the Office of the Auditor General. This act would further provide that audits shall not be paid for by the school committee, and that, if a city/town is required to increase its school funding as a result of a court decision, the cost of the audit would be paid by the city/town, and that, if a school's petition is denied, the school would bear the cost of the audit. Finance

S-556 SCHOOL HEALTH PROGRAMS (Sosnowski & Others) This act would expand municipal school health programs by requiring such programs to include policies dealing with physical education and nutrition. These policies would include, but not be limited to, the prohibition of carbonated soda and high-fat and/or high-sugar snack vending machines. Health & Human Services

S-565 STUDENT HEALTH (Roberts & Others) This act would require school districts receiving state education aid to include in their strategic plans strategies to decrease obesity and to improve health and wellness of students through nutrition, physical activity, and education. The act would also require school committees to establish school health and wellness subcommittees to promote health and physical education in the schools. Health & Human Services

S-604 SCHOOL COMMITTEES: COLLECTIVE BARGAINING AGREEMENTS (Gibbs) This act would require that any collective bargaining contract entered into by the school committee be ratified by the city or town council. Labor

S-676 SCHOOL DISTRICT AUDITS (Gallo & Others) This act would require school districts to submit corrective action plans if the auditor conducting the audit expresses an opinion that is other than unqualified. Finance

S-677 SCHOOL BUDGETS (Polisena) This act would authorize school committees to seek arbitration in the event of a negative vote by an appropriating authority. The act would also delete certain language authorizing school committees to bring an action in Superior Court in the event of such a negative vote. Finance

S-750 SCHOOL DISTRICT AUDITS (Gallo & Walaska) This act would require that school districts adhere to the same requirements as municipalities in regards to auditors and financial statements. Finance

S-760 CHARTER PUBLIC SCHOOLS (Issa) This act would allow for the creation of the "University of Rhode Island Academy for Post Adjudicated Youth" charter school. Finance

S-761 CHARTER PUBLIC SCHOOLS (Sosnowski & Others) This act would continue the current moratorium prohibiting the Board of Regents from granting final approval for any new charter schools until further action by the General Assembly. Education

S-763 EDUCATIONAL FACILITIES (Ciccone & Others) A joint resolution creating a special joint commission to study the financing of necessary repair and renovation for municipal educational facilities. Constitutional & Gaming Issues

S-803 HEALTH & SAFETY OF PUPILS (Paiva-Weed) This act would provide that the Department of Elementary and Secondary Education and the Department of Health would incorporate into their policies, rules and regulations pertaining to school health programs a procedure for addressing an incidence of hypoglycemia resulting in unconsciousness or seizure, in order to provide for the health and safety of any child who has been medically identified as having diabetes. Health & Human Services

S-830 CHARTER PUBLIC SCHOOLS (Gibbs) This act would remove the current moratorium prohibiting the Board of Regents from granting final approval for any new charter schools to begin operations in the 2005-2006 year. Finance

S-864 CIVICS EDUCATION (Gallo & Others) This act would direct the Board of Regents for Elementary and Secondary Education to develop a curriculum in civics education. Education

S-868 SCHOOL DISTRICT AUDITS (Gallo & Others) This act would add school districts to the requirement that each year a detailed post audit of financial records occur, and that all information obtained would be released to the Rhode Island Auditor General. Finance

S-896 STATE EDUCATION MANDATES (Goodwin & Ruggerio) This act would provide that no new state mandate would be issued without adequate funding by and from the state. Finance

S-898 SCHOOL AID: HOUSING (Goodwin) This act would provide that the percent of state aid for school housing costs would be 100% for any community in which the student population exceeds 20,000 students. Finance

S-930 SCHOOL DISTRICT AUDITS (Polisena) This act would provide that, upon the bringing of a court action to increase school appropriations, an audit of the school department and municipality shall be conducted, and the result of such audits would be paid for by the school committee and the municipality. Education

S-955 ATHLETIC COACHES (Tassoni & Others) This act would ban the sale of certain dietary supplements to minors, and would also prohibit athletic coaches from distributing or promoting use of any performance-enhancing dietary supplement. Health & Human Services

ELECTIONS

S-477 VOTER ASSISTANCE (Pichardo & Others) This act would raise the maximum age of children who can accompany voters into the voting booth. The act would also provide that voters could request assistance, which would be provided by representatives of the Board of Elections. Judiciary

S-575 RESTORATION OF VOTING RIGHTS (Metts & Others) This act would provide that a person who has lost the right to vote upon a felony conviction would have that right restored when that person is discharged from incarceration. Judiciary

S-581 NOMINATION PAPERS (McCaffrey) This act would provide that nomination papers would not be necessary for any candidate for any election in which there are no other declared candidates for that particular office. Judiciary

S-708 BALLOT QUESTION ADVOCACY AND REPORTING (McCaffrey) This act would create a new law pertaining to the reporting and advocating of ballot questions. Judiciary

S-719 REGISTRATION OF VOTERS (Pichardo & Others) This act would provide for consistent formatting and electronic transmission of voter registration information when a voter registers at the Division of Motor Vehicles or another state agency. Judiciary

S-725 NOMINATIONS (Damiani & Others) This act would prevent a person from being a candidate for two separate offices in the same election. Judiciary

S-726 REGISTRATION OF VOTERS (Pichardo & Others) This act would have the Division of Motor Vehicles transmit voter registration applications to the central voter registration system. Transmission would be made by electronic means as prescribed by the Secretary of State. Judiciary

S-736 REGISTRATION OF VOTERS (Pichardo & Others) This act would provide for the use of post office boxes for purposes of acknowledgement of registration or change of address and verification of residence in those cases wherein the prospective voter does not receive home mail delivery service, but rather receives their mail at a U.S. post office box. Judiciary

S-881 EMERGENCY MAIL BALLOTS (Pichardo & Others) This act would require that applications for emergency mail ballots be received by 4:00 p.m. on the day prior to the election or primary, and that the Secretary of State forward names of persons subject to felony convictions to local boards. This act would further remove certain requirements for delivery of paper voter applications to the Secretary of State, and would provide for modification to the form of mail ballots. Judiciary

S-882 MAIL BALLOTS (Pichardo & Others) This act would allow mail ballots to be filed electronically, and would eliminate the prescribed form for those voters residing outside the United States. Judiciary

S-940 ELECTION OFFENSES (Badeau) This act would clearly identify the area within 50 feet of the polling place where certain activity is prohibited. Judiciary

S-941 POLITICAL LITERATURE AND INFLUENCE (Badeau) This act would provide that each city/town board of canvassers identify the 50 foot demarcation within which political literature and influence is prohibited under this section. Judiciary

S-942 CONDUCT OF ELECTIONS (Badeau) This act would authorize the presence of representatives of persons who appear on the ballot who do not belong to either the republican or democratic parties. The amendment would also clarify the type of conduct that is prohibited in the voting area. Judiciary

S-946 TABULATION AND CERTIFICATION OF RETURNS (Badeau) This act would permit the State Board of Elections to feed ballots into its computer counters within 2 days prior to an election or primary. The feeding of ballots shall not be tallied until after the close of the polls on the primary or election day. Judiciary

S-950 BALLOT QUESTION ADVOCACY AND REPORTING (Badeau) This act would create the Rhode Island Ballot Question Advocacy and Reporting Act. Judiciary

ENVIRONMENT

S-394 DAM MANAGEMENT DISTRICTS (Breene & Others) This act would authorize cities and towns of the state to adopt ordinances creating management districts for dams, the boundaries of which may include all or part of a city/town as specified by the ordinance. Environment & Agriculture

S-461 WATER SUPPLY SYSTEM MANAGEMENT PLANS (Levesque) This act would restore Section 46-15.3-7.5 to the pre 2002 amendment language. Environment & Agriculture

S-492 DAM MANAGEMENT DISTRICTS (Breene) This act would authorize cities and towns of the state to adopt ordinances creating management districts for dams, the boundaries of which may include all or part of a city/town as specified by the ordinance. Commerce, Housing & Municipal Government

S-506 CESSPOOL PHASE-OUT ACT (Gibbs) This act would create a new chapter to phase-out many cesspools currently in use in the state. Environment & Agriculture

S-705 PUBLIC DRINKING WATER SUPPLY (Damiani) This act would require that any sampling, monitoring, test result or laboratory analysis of a public water system which indicates that the drinking water may not be safe and potable shall be reported concurrently to the system and the Director of Health. Immediate Consideration

S-769 PESTICIDE CONTROL (Perry & Others) This act would protect children from exposure to lawn care pesticides by prohibiting the application of such at schools and day care centers. Environment & Agriculture

S-826 ELECTRONIC WASTE PRODUCERS (Sosnowski & Others) This act would make producers of electronic products financially responsible for the collection and recycling of their covered electronic products and historic waste which have been discarded in Rhode Island, including their return share of orphan waste. Environment & Agriculture

S-866 REFUSE DISPOSAL (Gallo) This act would amend the Rhode Island Refuse Disposal Act to include provisions regarding beneficial reuse material. Environment & Agriculture

S-885 NARRAGANSETT BAY COMMISSION (Ruggerio & Goodwin) This act would allow the Narragansett Bay Commission to acquire sanitary and combined sewer systems from municipalities within its district as may be necessary to carry out its duties. Commerce, Housing & Municipal Government

S-934 RECYCLED MATERIALS (Gibbs & Others) This act would include all recycled materials in the calculation of percentage of recycled materials. Finance

S-958 PUBLIC DRINKING WATER (Alves) This act would require that all community public water systems and all non-transient non-community public water systems comply with regulations governing said systems' creation and compliance with a cross-connection control plan. Commerce, Housing & Municipal Government

FINANCE AND TAXATION

S-401 TRANSFER OF PROPERTY TO TRUST (Caprio) This act would provide that a tax exemption created either by the general laws and/or a public law or municipal ordinance would not be affected by the transfer of the remainder interest in property or the transfer of property to a revocable or irrevocable living trust if the otherwise eligible individual is a beneficiary of the trust and resides in such property, and the otherwise eligible individual or the trustee is responsible for or actually paying the property tax on such property. Finance

S-402 GREENHOUSES (Breene & Others) This act would exempt greenhouses used by farmers solely for agricultural growing structures from property taxes in all cities and towns. Finance

S-465 PAYMENTS IN LIEU (Gibbs & Others) This act would authorize cities and towns, through the passage of an ordinance, to establish a process by which payments in lieu of taxes for educational services for pupils, whose residence in a municipality is located on federal property that is not subject to taxation and is controlled by a nonprofit entity, can be made. Finance

S-466 HOTEL TAX (Badeau & Others) This act would create the Rhode Island Tourism Development Corporation which shall coordinate the expenditure of funds generated through the state hotel tax. This act would also direct a portion of the hotel tax to the corporation for use in statewide tourism promotion efforts, and would place all tax collection responsibility with the Division of Taxation. Finance

S-478 TAX SALES (Metts & Others) This act would provide that, when a property is residential and contains less than 4 units and is subject to a tax sale, the RIHMFC would have the right of first refusal to acquire the tax lien. Judiciary

S-531 LEVY CAP (Gallo) This act would require that municipalities not exceed the 5.5% levy over the prior year's tax levy without certification of the Auditor General and examination of all line items in the budget. Finance

S-532 MUNICIPAL PENSION FUNDS (Gallo) This act would repeal the law that requires a municipality to report to the Government Accounting and Standards Board when it does not contribute 100% of annual required contribution to its pension plan(s). This act would also require any municipality which intends to contribute less than 100% of its pension contribution to obtain the preapproval of the Auditor General. Finance

S-612 PAYMENT IN LIEU (Ruggerio & Others) This act would increase the annual appropriation for payment to cities and towns in which certain private nonprofit or state owned property is located from 27% to 30%. Finance

S-613 EXEMPTION OR STABILIZING OF TAXES (Ruggerio & Others) This act would provide that any city/town which provides an exemption or stabilization of taxes prepare and publicly release an analysis of the impact of the proposed project receiving the exemption prior to determining if the tax relief will be granted. Finance

S-614 PAYMENT IN LIEU: CIVIC CENTERS (Ruggerio & Others) This act would add any municipally owned civic center to the list of properties eligible for state aid because of a loss of tax revenue. Finance

S-616 PAYMENT IN LIEU: CIVIC CENTERS (Ruggerio & Others) This act would mandate that any amount appropriated by the General Assembly for a municipally-owned civic center be utilized only for that center's operations and capital improvement. Finance

S-617 MOTOR VEHICLE EXCISE TAXES (Ruggerio & Others) This act would provide for the administrator of the Division of Motor Vehicles to suspend or revoke an individual's motor vehicle registration for failure to pay excise tax to a municipality. Finance

S-657 LEVY CAP (Gallo & Others) This act would amend the qualifying provisions that permit a city/town to exceed the 5.5% increase over the amount of tax levied for the prior year. Finance

S-753 RELIEF FROM ASSESSMENTS (Revens & Others) This act would allow taxpayers 6 years to contest a property tax assessment instead of 90 days. Judiciary

S-827 LEVY CAP (Montalbano) This act would allow a city/town, when confronted with an emergency which requires a tax increase, to increase the levy. However, the levy would not be allowed to be carried over in the next fiscal budget. Finance

S-828 LOCAL MEALS AND BEVERAGE TAX (Felag & Others) This act would provide that cities and towns, where meals and beverages are subjected to a one percent meal and beverage tax, receive a total of 2% of the total sales tax collected. Finance

S-894 REAL ESTATE CONVEYANCE TAX (Ruggerio & Goodwin) This act would raise the conveyance tax rate on property transferal, and would change the formula for distribution. Finance

S-897 MUNICIPAL TAXES: ECONOMIC DEVELOPMENT (Perry & Ruggerio) This act would provide that, for any tax exemption or stabilization granted by any city/town after July 1, 2005, in which the EDC is a participant, the city/town would be entitled to a 50% reimbursement from the state for all taxes exempted. Finance

S-901 HISTORIC RESIDENCE – TAX CREDIT (Felag) This act would provide that historic commercial structures receive a tax credit that is currently only given to residences. Finance

S-905 TAX LIENS AND TAX TITLES (Perry & Goodwin) This act would clarify the procedure for bulk sales of tax liens and tax titles, and would repeal prior law inconsistent therewith. Judiciary

S-906 EXEMPTION OR STABILIZING OF TAXES (Perry & Ruggerio) This act would expand the right of a municipality to foreclose on the rights of redemption of unimproved land, would broaden the exemption or stabilization of taxes on property that has undergone environmental remediation, and would broaden the definition of “blighted and substandard areas”. Judiciary

S-907 TAX LIENS (Ruggerio & Goodwin) This act would require real estate closing attorney/officer to collect and remit the full balance amount itemized on the lien certificate to the appropriate municipality or fire district to obtain a discharge of the lien. Judiciary

S-912 COLLECTION OF TAXES (Ruggerio & Goodwin) This act would make technical changes to the names of the parties to tax collection law suits. Judiciary

HOUSING

S-651 NEIGHBORHOOD OPPORTUNITIES PROGRAM (Felag & Others) This act would establish and fund the neighborhood opportunities program to address the housing and revitalization needs of the state's deteriorating neighborhoods. Finance

S-931 COMMUNITY DEVELOPMENT CORPORATION BUILDING FUND (Perry & Others) This act would establish a community development corporation building fund in order to supplement funding for community based nonprofit corporations which purpose is to provide affordable housing. Finance

LABOR RELATIONS

S-485 LABOR RELATIONS BOARD (Badeau & Others) This act would require that, of the 3 members appointed to the Labor Relations Board that represent management, one be appointed from a list of 3 recommendations from the Rhode Island League of Cities and Towns. Labor

S-605 PUBLIC BUILDINGS (Polisena & Others) This act would provide some job protection for private employees of businesses that have contracts for janitorial or building maintenance services for public buildings. Labor

S-629 SCHOOL TEACHERS' ARBITRATION (Ruggerio & Others) This act would provide that the state would pay the total cost of compulsory mediation for school teachers. Labor

S-630 USE OF PAST PRACTICES (Ruggerio & Others) This act would allow a labor arbitrator to consider the existence of past practice when the union contract contains a provision that preserves existing rights, benefits or practices between the parties. Labor

S-631 PUBLIC WORKS ARBITRATION (Ruggerio & Others) This act would clarify the intent of subsection (b) of 37-16-2 of the General Laws relating to certain construction disputes, which is to exempt disputes involving construction of highway or bridges valued at \$100,000 or more from arbitration without the consent of the parties. Labor

S-632 UNRESOLVED ISSUES SUBMITTED TO MEDIATION OR ARBITRATION (Ruggerio & Others) This act would provide for the payment of certain costs pertaining to compulsory mediation. Labor

S-637 PAYMENT OF WAGES (Ruggerio & Others) This act would clarify which call for bids would contain a provision stating the minimum wages to be paid to various types of employees. Labor

S-638 PREVAILING WAGE RATES (Ruggerio & Others) This act would require that the rights and remedies for nonpayment of wages be posted where workers are employed for public works projects. Labor

S-684 MUNICIPAL EMPLOYEES DISPUTES (Damiani & Polisena) This act creates factors to be considered by the Arbitration Board in resolving contract negotiations. In addition, it would allow the Superior Court to award attorneys' fees to the successful party in an appeal of an arbitration panel decision. Labor

S-689 COLLECTIVE BARGAINING AGREEMENTS (Damiani & Polisena) This act would mandate that, if there is a conflict between a collective bargaining agreement involving a public sector employer and a public sector employee organization and the terms of a municipal charter or ordinance, the conflict be resolved in favor of the collective bargaining agreement. Labor

S-696 MUNICIPAL POLICE ARBITRATION (Damiani & Polisena) This act would provide for a continuance of contractual benefits to municipal police personnel in the event that collective bargaining between the municipality and the collective bargaining agent is not resolved within 30 days, and a new contract is not entered into by the parties during such 30-day period. Labor

S-698 UNFAIR LABOR PRACTICES (Damiani & Polisena) This act would broaden the jurisdiction of the Labor Relations Board to consider and address unfair labor practices that have also been filed as grievances under a collective bargaining agreement. Labor

LIQUOR CONTROL AND LICENSES

S-444 ALCOHOLIC BEVERAGES (Felag & Others) This act would clarify the criminal law and penalties for furnishing and procuring alcohol for underage persons. Judiciary

S-454 HAWKERS AND PEDDLERS (Cicccone & Others) This act would prohibit licensed hawkers and peddlers from selling or offering to sell any single items having a retail value in excess of \$300. Commerce, Housing & Municipal Government

S-457 LIQUOR LICENSES: POSTING (Raptakis & Others) This act would eliminate the posting requirement of licenses for alcoholic beverages. Constitutional & Gaming Issues

S-892 CLASS N NIGHTCLUB LICENSE (Caprio & Ruggerio) This act would eliminate the requirement of a second charge to gain reentry or readmittance to the liquor establishment. Constitutional & Gaming Issues

S-929 GOLF COURSES – SALE OF ALCOHOLIC BEVERAGES (Bates) This act would permit golf clubs, which have a Class D license to sell alcoholic beverages from mobile wagons or carts. Constitutional & Gaming Issues

S-953 BINGO GAMES (Doyle & Others) This act would increase the total prize award allowed in any one night at bingo games authorized under this chapter from \$6,050 to \$62,000. Constitutional & Gaming Issues

PLANNING & ZONING

S-609 ZONING ORDINANCES: DEVELOPABLE LAND (Ruggerio & Others) This act would amend existing zoning ordinance definitions to clarify the standards and calculations by which the amount of developable land is determined. Commerce, Housing & Municipal Government

S-610 DEVELOPMENT PLAN REVIEWS (Ruggerio & Others) This act would amend existing law to ensure the application of specific and objective guidelines in connection with any development plan review instituted by a planning commission for uses permitted by right under the applicable zoning ordinance of the city/town. Commerce, Housing & Municipal Government

S-755 ZONING ORDINANCES (Issa) This act would amend the definition of "Family Day Care Home" and provide a definition for "Family Group Day Care Home" as they pertain to municipal zoning ordinances. Commerce, Housing & Municipal Government

S-756 COMPREHENSIVE PLAN APPEALS BOARD (Breene) This act would reduce the membership of the State Comprehensive Plan Appeals Board from 11 to 7 members. Government Oversight

S-886 ZONING ORDINANCES (Perry & Ruggerio) This act would permit the cities and towns to record zoning ordinances and maps in an electronic format. Commerce, Housing & Municipal Government

PUBLIC SAFETY – POLICE AND FIRE

S-429 DRIVING UNDER THE INFLUENCE (Sosnowski) This act would make it a felony for anyone to operate a motor vehicle while under the influence with a person under the age of 16 as a passenger. Judiciary

S-443 DISORDERLY CONDUCT (Perry & Connors) This act would create the offense of indecent exposure/disorderly conduct, a misdemeanor offense punishable by imprisonment of not more than one year, or a fine of not more than \$1,000. Judiciary

S-447 FIREFIGHTERS' IMMUNITY (Sheehan & Others) This act would extend civil immunity granted to firefighters to include acts or omissions constituting ordinary negligence which are committed during and within the course and scope of the firefighter's duty. This act would not grant civil immunity to acts constituting gross negligence and/or willful misconduct. Judiciary

S-448 IDENTIFY THEFT (McCaffrey) This act would create the identity theft passport card, issued by the Department of the Attorney General, to give victims

of identify theft the means to identify themselves as victims of identity theft to city and state agencies, including law enforcement agencies and the judiciary. Judiciary

S-451 DOMESTIC VIOLENCE (Lanzi & Others) This act would specifically add the following offenses to the list of crimes named in the "Rhode Island Domestic Violence Act": Refusal to relinquish or to damage or obstruct a telephone; Crank or obscene telephone calls; Burglary and unlawful entry; and Arson.

S-459 ALCOHOL VAPORIZING DEVICES (Sosnowski & Felag) This act would prohibit the sale, possession or use of alcohol vaporizing devices. Constitutional & Gaming Issues

S-474 SEXUAL OFFENDER REGISTRATION (McCaffrey & Others) This act would require disclosure by local police to the general public information regarding level 2 and level 3 registered sexual offenders, as well as notification on the Rhode Island State Police website and the Rhode Island Unified Court System website. Judiciary

S-476 ACCIDENT REPORTS (Algiere & Breene) This act would increase the minimum damage amounts necessary to require individuals and law enforcement officers to file accident reports from \$1,000 to \$1,500. Judiciary

S-479 WEAPONS (Metts & McCaffrey) This act would establish criminal penalties for the unlawful discharge of a firearm on school grounds if said discharge creates a substantial risk of death or serious personal injury to another person. Judiciary

S-482 ELECTRONIC DEVICES (Sosnowski) This act would make unlawful the operation of nonhands-free mobile telephones while driving a motor vehicle or a bicycle. Judiciary

S-503 FIREFIGHTER PLATES (Felag & Others) This act would increase the weight registration eligibility to qualify for plates designated "war veteran", "purple heart" and "ex-POW", and for special vehicle registration plates for active and retired firefighters. Constitutional & Gaming Issues

S-562 EMERGENCY MEDICAL TECHNICIANS (Blais) This act would establish provisions and protections for the peer review of the services provided by emergency medical technicians. Health & Human Services

S-573 POLITICAL SURVEILLANCE (Levesque & Others) This act would require that state and municipal law enforcement agencies may not collect or

maintain information about political, religious or social views, associations or activities of anyone unless there are reasonable grounds to suspect that the subject of the information is involved in criminal conduct, and the information directly relates to the investigation of that criminal activity. It would also provide that state and municipal law enforcement agency funds shall not be used to inhibit activities protected by the First Amendment. Judiciary

S-576 DRIVING UNDER THE INFLUENCE (Algiere & Others) This act would increase penalties for refusal to submit to a chemical test. Judiciary

S-577 RECKLESS DRIVING (Polisena & Others) This act would make eluding or fleeing from traffic officers or police vehicles a felony. Judiciary

S-582 FREEWAYS (Blais) This act would increase the fine for backing up a motor vehicle on any interstate highway into a traffic lane from the present fine of \$50 to a fine of not less than \$250. Judiciary

S-586 THREATS AND EXTORTION (McCaffrey & Others) This act would prohibit the use of coercion, intimidation, threats, or attempts to do any of the same against a public official by use of any written or printed matter which appears to be a legal document issued from a court of this state, but which in fact is not actually authorized by either a court or a statute. Judiciary

S-590 DRIVING UNDER THE INFLUENCE (Polisena & Others) This act would allow a peace officer to request a search warrant which would allow the taking of blood, breath or urine, or to perform a chemical test if probable cause exists to believe that an individual has been driving under the influence of intoxicating liquor or narcotics. Judiciary

S-660 RELIEF OF FIREFIGHTERS AND POLICE OFFICERS (Badeau & Ciccone) This act would allow relief to injured and deceased firefighters and police officers incapacitated or injured during a witnessed and/or unavoidable emergency whether on or off duty. Finance

S-673 RELIEF OF FIREFIGHTERS AND POLICE OFFICERS (Tassoni) This act would provide that, if a person is eligible to receive pay and benefits under Section 45-19-1 and subsequently retires, then that person shall continue to receive medical expense payments. Finance

S-695 LIE DETECTOR TESTS (Breene) This act would allow lie detector tests to be administered by law enforcement agencies to persons applying for employment as a law enforcement officer. Labor

S-710 RHODE ISLAND MEDICAL MARIJUANA ACT (Perry & Others) This act would protect patients with debilitating medical conditions and their physicians and primary caregivers from arrest and prosecution, criminal and other penalties, and property forfeiture if such patients engage in the medical use of marijuana. Judiciary

S-711 SEAT BELT USE (Blais) This act would change a seat belt offense from a secondary violation to a standard primary violation for all persons driving or riding in motor vehicles, and would reduce the fine for violations from \$75 to \$30. Judiciary

S-717 WEAPONS (Damiani & Polisena) This act would make it possible to transport pistols or revolvers within the state as long as the ammunition is transported in a different location within the vehicle not readily accessible from the passenger compartment. Judiciary

S-722 FIREARMS (Damiani & Others) This act would exempt collectible and antique weapons from the prohibition against changing, altering or otherwise obliterating the name of the maker, model, manufacturer's number or other mark of identification on any firearm. Judiciary

S-724 SAFETY AND CARE OF THE ELDERLY (Blais) This act would broaden the purpose of the citizen's commission for the safety and care of the elderly to include liaison with public safety officials and the Department of Elderly Affairs. It also increases the membership from 19 to 21, and requires that each local police and fire chief designate at least one police officer or firefighter to serve as senior citizen police advocate. Judiciary

S-730 AUTOMOBILE KEYS (Blais) This act would make it a misdemeanor for any person to make reproductions of automobile keys from anything other than the original automobile key, and/or fail to keep records of the transaction identifying the consumer and the automobile for which the keys were reproduced. Judiciary

S-731 WEAPONS PERMIT (Damiani) This act would allow an authority granting a weapon possession permit to suspend it at any time for just cause. Judiciary

S-797 HARBOR MASTERS (Damiani & Others) This act would require all harbor masters to attend either a state or municipal police academy. Commerce, Housing & Municipal Government

S-848 WEAPONS (Blais & Others) This act would expand the license or permit to carry a pistol or revolver to include people who have been issued protective orders, and would require that the permit be delivered to applicants within 10 business days, except for people with protective orders, in which case the permit shall be delivered in 3 days. Judiciary

S-849 WEAPONS (Blais & Others) This act would exempt certain persons, including those issued protective orders, from the weapons safety requirements of Chapter 11-47 of the General Laws. Judiciary

S-888 **COMMERCIAL DRIVERS' LICENSE** (Fogarty & Others) This act would allow firefighters with 5 or more years of driving experience, who have completed a safety course, to be exempt from the commercial motor vehicle road test requirements. Commerce, Housing & Municipal Government

S-903 **EMT SERVICES** (Fogarty & Others) This act would add one member to the Ambulance Service Coordinating Advisory Board. Health & Human Services

S-909 **AUTOMATED TRAFFIC SYSTEMS** (Goodwin) This act would create the Rhode Island Automated Traffic Violation Monitoring System Act of 2005. Judiciary

S-914 **WEAPONS** (Perry) This act would add definitions of "ammunition", "assault weapon", "large capacity feeding device", "semiautomatic", and "shotgun" to the chapter on weapons, and would make it unlawful to sell, transfer or possess any assault weapons or a large capacity feeding device. Judiciary

S-916 **DOMESTIC ASSAULT** (Goodwin & Others) This act would restrict the possession of firearms in cases of domestic violence pursuant to a protective order issued by a court after notice is given to a respondent and a full hearing on a complaint has taken place. Judiciary

S-917 **DOMESTIC ABUSE PREVENTION** (Goodwin & Others) This act would allow the court to require a defendant to relinquish firearms pursuant to the issuance of a domestic abuse protective order. Judiciary

S-919 **DOMESTIC VIOLENCE AND HATE CRIMES** (Roberts & Others) This act would relocate the provisions of the general laws applying to address confidentiality for victims of domestic violence and hate crimes, and expand their coverage to apply to interactions with the state in addition to the voting rights protected under the current statute. This act is intended to remove certain barriers to the receipt of state and local services for victims of domestic violence and hate crimes who might otherwise risk the disclosure of their residence to their assailant. Judiciary

S-966 **HYDRANT TAMPERING** (Ciccione & Others) This act would create mandatory minimum and maximum fine penalties for interfering, tampering or damaging any fire hydrant belonging to any public waterworks or water service owned and furnished by any city, town, water district, fire district or any other municipal or quasi-municipal corporation or "dry hydrants" constructed and maintained by a fire company or district. This act would not apply to any person who is under the age of 18. Judiciary

RETIREMENT

S-621 OPTIONAL RETIREMENT: POLICE AND FIREFIGHTERS
(Ruggerio & Others) This act would amend the formula for determining a police officer's or firefighter's final compensation for retirement purposes. Finance

S-649 POST RETIREMENT EMPLOYMENT (Ciccone & Others) This act would increase the permissible part-time pay to \$15,000 per calendar year. Finance

S-661 REEMPLOYMENT OF RETIRED MEMBERS (Badeau & Ciccone)
This act would exempt firefighters and police officers from the 75-day rule as it applies to reemployment of retired members of the municipal employee retirement system. Finance

S-664 OPTIONAL RETIREMENT FOR POLICE AND FIREFIGHTERS
(Badeau & Ciccone) This act would make police officers and firefighters who sustain a job-related disabling illness, as determined by the employing city/town, eligible for the same accidental disability retirement allowance as if the police officer or firefighter applied for the allowance under the provisions of 45-21.2-9. Finance

S-870 MILITARY SERVICE: PENSION BENEFITS (DaPonte & Raptakis) This act would bring the state statute into conformance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Title 38, U.S. Code, Sections 4301 – 4333 (38 U.S.C. 4301 – 4333) as those sections apply to retirement or pension benefits. Finance

TOWN AND CITY CLERKS

S-430 PROBATE PRACTICE (Caprio) This act would permit an estate representative to deny a claim filed against an estate in whole or in part. Judiciary

S-435 FIDUCIARIES (Caprio) This act would provide that, in any action involving wills, estates, trusts, or fiduciaries in the Probate or Superior Court, certain persons could be represented and bound by another person who has a substantially identical interest in the matter. Judiciary

S-436 PUBLIC RECORDS (McCaffrey & Connors) This act would allow the Attorney General to initiate a complaint on behalf of the public interest pursuant to the inspection of records of a public body. Judiciary

S-846 PERSONS ELIGIBLE TO MARRY (Blais & Others) This act would prohibit same sex marriages in the state and would prohibit the state from recognizing a relationship between persons of the same sex as a marriage. Judiciary

S-895 PROBATE FEES (Ruggerio & Goodwin) This act would raise the fees for the filing of certain documents with a probate court. Finance

MISCELLANEOUS

S-379 **ANIMAL CARE** (Tassoni & Others) This act would repeal the provisions of the law providing for destruction of animals by carbon monoxide poisoning by any means of propulsion. Constitutional & Gaming Issues

S-385 **ANIMAL CARE** (Perry & Others) This act would amend certain provisions of law relative to the method that monies collected from fines under 4-19-18 of the General Laws are spent. Constitutional & Gaming Issues

S-406 **DOGS AND CATS** (Perry & Others) This act would establish a fund for the spaying and neutering of dogs and cats, and would establish a committee to oversee the use of this fund. Finance

S-498 **CRUELTY TO ANIMALS** (Tassoni & Others) This act would provide that persons who negligently abandon their animal would be subject to the same provisions and penalties as those who intentionally mistreat animals. Constitutional & Gaming Issues

S-499 **ANIMAL CARE** (Perry & Others) This act would amend certain provisions relative to the adoption of animals and the uses of forfeited deposits. Constitutional & Gaming Issues

S-513 **OFFICE OF INSPECTOR GENERAL** (Raptakis & Others) This act would establish the office of the inspector general as an independent administrative agency charged with the purpose of preventing and detecting fraud, waste and abuse, and mismanagement of the expenditure of public funds. Finance

S-620 **AWARD OF PUBLIC CONTRACTS** (Ruggerio & Others) This act would impose certain requirements on any entity which disburses public money to subcontractors. Finance

S-635 **PUBLIC WORKS CONTRACTS** (Ruggerio & Others) This act would establish bidding requirements for contractors bidding on public works contracts. Labor

S-636 **PUBLIC WORKS CONTRACTS** (Ruggerio & Others) This act would establish bidding requirements for contractors bidding on public works contracts. Labor

S-652 **MEMBERS OF ARMED FORCES** (Damiani & Others) This act would require cities and towns to continue to pay employees who enter military service

and continue to provide medical benefits. An offset would be allowed the city/town for military service pay received by the employee. Finance

S-655 MEDICAL BENEFITS: EMPLOYEES OF CITIES AND TOWNS (Damiani & Others) This act would provide all members of the Rhode Island National Guard and Reserve called for active duty for a period exceeding 90 days and their dependents with health benefits. Finance

S-692 OPEN CONTRACTING ACT (Badeau) This act would prohibit certain contract specifications issued by public bodies soliciting bids on public works projects. Labor

S-720 RHODE ISLAND CONSTITUTION (Lenihan) This act would provide a cause of action for violations of the Rhode Island Constitution. Judiciary

S-765 GAMBLING AND LOTTERIES (Raptakis & Others) This act would prohibit casino gambling in certain locations. Constitutional & Gaming Issues

S-817 HEALTH INSURANCE (Roberts & Others) This act would require the Department of Administration to utilize specialized health benefits expertise to design a request for proposal for state employee benefit contracts with health insurers. Health & Human Services

S-836 PUBLIC WORKS PROJECTS (Fogarty & Others) This act would require utilities and other companies who maintain utility facilities within a municipal right-of-way to pay for the costs associated with removing those utility facilities from the municipal right-of-way. Financial, Technology, Regulatory

S-869 DOGS AND CATS (Perry) This act would establish a fund for the spaying and neutering of cats and dogs, and would provide funds from contributions from a check-off on the Rhode Island personal income tax form. Finance

S-899 MUNICIPAL PURCHASING (DaPonte & Connors) This act would prohibit the state or municipality from awarding a contract for goods and services to be rendered or supplied by a vendor or contractor located outside the United States. Finance

S-900 MAINTENANCE FOR STATE ROADS (Ciccone & Ruggerio) This act would provide that the General Assembly appropriate, to the state and its municipalities, sums sufficient to carry out the pavement management program and all other provisions found in Chapter 24-8. Finance

S-910 TORT LIABILITY (Goodwin) This act would extend the mandatory cap that is allowed against the state, municipalities and towns to also include employees of the state, municipalities and towns. Judiciary

S-913 JUDGEMENTS, ORDERS, AND DECREES (Ruggerio & Goodwin) This act would reduce from 12% to 10% the amount of interest to be added to money judgements per annum. This act would also set the interest rate for money involving a tax dispute to 3% over the federal discount rate as of the date of entry of judgement. Judiciary

S-920 PUBLIC WORKS CONTRACTS (Ruggerio & Others) This act would require any contractor who is awarded a public works contract after July 1, 2005, to ascertain the prevailing wage rate and make the necessary adjustments. Labor

S-937 WORKPLACE SAFETY (Lenihan & Walaska) This act would regulate smoking effective January 1, 2006, in any facility that employs not more than 10 employees operated exclusively under a Class C liquor license or a Class D liquor license held by a nonprofit or charitable corporation with a defined membership. Health & Human Services